

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PB LIFE AND ANNUITY CO. LTD, *et al.*,¹

Debtors in Foreign Proceedings.

Chapter 15

Case No. 20-12791 (LGB)

(Jointly Administered)

UNIVERSAL LIFE INSURANCE CO.,

Plaintiff,

v.

GLOBAL GROWTH HOLDINGS, INC., *et al.*,

Defendants.

Adv. Proc. No. 21-01169 (LGB)

**ORDER GRANTING MOTION OF DEFENDANT
CHRISTOPHER HERWIG TO DISMISS THE AMENDED COMPLAINT**

Upon the motion (the “Motion”) of defendant Christopher Herwig (“Herwig”) for entry of an Order dismissing plaintiff Universal Life Insurance Company’s First Amended Complaint (the “Amended Complaint”) pursuant to Rules 9(b) and 12(b)(1), (2) and (6) of the Federal Rules of Civil Procedure, made applicable hereto by Rules 7009 and 7012 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and this Court having found that proper and adequate notice of the Motion and the relief requested therein has been provided in accordance with the Bankruptcy Rules and the Local Rules of the United States Bankruptcy Court for the Southern District of New York, and that, except as otherwise ordered herein, no other or further notice is necessary, and a hearing having been held to consider the relief requested in the Motion

¹ PB Life and Annuity Co., Ltd., Northstar Financial Services (Bermuda) Ltd., Omnia Ltd. and PB Investment Holdings Ltd., foreign Debtors, are Bermuda limited companies which each have a registered address in Bermuda c/o Deloitte Ltd., Corner House, 20 Parliament Street, Hamilton HM 12, Bermuda, and are Jointly Administered for procedural purposes, by Order of this Court entered on April 2, 2021, ECF No. 42.

and upon the record of the hearing and all of the proceedings had before this Court, and after due deliberation and sufficient cause appearing therefor;

IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. The Amended Complaint is DISMISSED with prejudice as against defendant Herwig pursuant to Rules 12(b)(1), (2) and (6) of the Federal Rules of Civil Procedure.
3. The Amended Complaint is DISMISSED with prejudice as against defendant Herwig pursuant to Rules 9(b) of the Federal Rules of Civil Procedure.

Dated: _____, 2021
New York, New York

Hon. Lisa G. Beckerman
United States Bankruptcy Judge